

Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382

Significant Revision Issued Under 401 KAR 52:020
AIR QUALITY PERMIT

Permittee Name: Celanese, Ltd.
Mailing Address: 480 North Main St.
Calvert City, KY 42029

Source Name: Same as above.
Mailing Address: Same as above.

Source Location: Same as above.

Permit Number: VF-03-001
Log Number: 55706
Review Type: Significant Revision
Source ID #: 21-157-00055

Regional Office: Division for Air Quality
Paducah Regional Office
4500 Clarks River Road
Paducah, KY 42003-0823

County: Marshall

Application
Complete Date: June 10, 2003
Issuance Date: September 5, 2003
Expiration Date: September 5, 2008

John S. Lyons, Director
Division for Air Quality

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>	<u>DATE OF ISSUANCE</u>
A. PERMIT AUTHORIZATION	1	September 5, 2003
B. EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS	2	September 5, 2003
C. INSIGNIFICANT ACTIVITIES	17	September 5, 2003
D. SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS	17	September 5, 2003
E. SOURCE CONTROL EQUIPMENT OPERATING REQUIREMENTS	17	September 5, 2003
F. MONITORING, RECORDKEEPING, AND REPORTING REQUIREMENTS	18	September 5, 2003
G. GENERAL PROVISIONS	21	September 5, 2003
H. ALTERNATE OPERATING SCENARIOS	27	September 5, 2003
I. COMPLIANCE SCHEDULE	27	September 5, 2003

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction/operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**059 (W29) Bulk Loading Rail**

Description: Bulk Loading Operation
Maximum continuous rating: 36,000 pounds per hour
Date constructed: 1978
Date modified: 2003

Control Equipment:
Bulk Loading Baghouse (FD-5716), Model CF-19Q, Pulse Jet Type
Pollutant removal/destruction efficiency: 99.6% ($< 5 \mu\text{m}$)
Date constructed: 1985

APPLICABLE REGULATIONS:

401 KAR 59:010 New Process Operations. This regulation shall apply to each affected facility or source associated with a process operation which is not subject to another emission standard with respect to particulates on or after July 2, 1975.

401 KAR 63:020 Potentially hazardous matter or toxic substances. This regulation shall apply to each affected facility which emits or may emit potentially hazardous matter or toxic substances, provided such emissions are not elsewhere subject to the provisions of the administrative regulations of the Division for Air Quality.

1. Operating Limitations:

Polyvinyl Alcohol (PVOH) loaded through 059 (W29) Bulk Loading Rail shall not exceed 75,000 tons based on a 12 month rolling period.

Compliance Demonstration Method:

The permittee shall monitor and maintain records of monthly and rolling twelve (12) month totals of Polyvinyl Alcohol (PVOH) through 059 (W29) Bulk Loading Rail as mentioned in 4(a) and 5(a).

Rolling Twelve (12) Month Total of PVOH

Every month the permittee shall calculate the total amount of PVOH loaded through 059 (W29) Bulk Loading Rail for the previous twelve (12) months using the following equation.

$$\text{PVOH loaded through 059 (W29) Bulk Loading Rail per year} = \sum_{n=1}^{12} M_n$$

Where M_n = monthly amount of PVOH throughput loaded in tons ($n = 1, 2, \dots, 12$ months).

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010 Section 3(2), emissions of particulate matter shall not exceed the allowable rate limit as calculated by the following equation using the process weight rate (in units of tons/hr).
For process rates up to 60,000 lb/hr: $E = 3.59P^{0.62}$
Where E = rate of emissions in lb/hr, and
P = process weight rate in tons/hr of PVOH throughput loaded.
- b. Pursuant to 401 KAR 59:010 Section 3(1), no person shall cause, suffer, allow, or permit any continuous emissions into the open air from a baghouse or stack which is equal to or greater than twenty (20) percent opacity.
- c. The baghouse associated with 059 (W29) Bulk Loading Rail shall control emissions of particulate matter and be operated properly with manufacturer's specifications and/or standards at all times the unit is in operation.

Compliance Demonstration Method:**a. Mass Emission Standard:**

Controlled PM emission rate (lb/hr) = PVOH Production Rate for Bulk Loading Rail (lb/hr) x Average weight % less than 140 microns x Average weight % less than 5 microns x [1 - (CE/100)]

Where CE = Control Efficiency = 99.6%, and PVOH = Polyvinyl Alcohol

b. Opacity Limit:

- i. During periods of normal operation of the baghouse associated with 059 (W29) Bulk Loading Rail, the permittee shall monitor and maintain records of visible emissions as mentioned in 4(b) and 5(b).
- ii. If the unit is in operation during any period of malfunction of baghouse associated with 059 (W29) Bulk Loading Rail, the permittee shall cease the loading operation immediately until corrective actions are completed.

3. Testing Requirements:

Pursuant to 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 1, performance testing using reference methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

The permittee shall monitor the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 059 (W29) Bulk Loading Rail each month.
- b. Three minute weekly observations of the visible emissions from the baghouse associated with 059 (W29) Bulk Loading Rail shall be conducted. If visible emissions are observed, the permittee shall perform an EPA Method 9 opacity reading immediately.
- c. Proper operation of the baghouse associated with Bulk Loading Rail in accordance with Condition 7, **Specific Control Equipment Operating Conditions**.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 059 (W29) Bulk Loading Rail each month.
- b. A log shall be kept for all the visible emission observations. Notification in the weekly log shall be made of but not limited to the following:
 - i. Whether any air emissions (except for water vapor) were visible from 059 (W29) Bulk Loading Rail.
 - ii. Whether the visible emissions were normal for the process.
 - iii. The cause of any abnormal emissions and any corrective action taken.
- c. A log of the dates and times of each EPA Method 9 opacity reading and either the results of the test or the reasons for not performing a Method 9 opacity reading.
- d. A record of monthly inspections, routine maintenance performed, and any corrective action on the baghouse associated with 059 (W29) Bulk Loading Rail shall be maintained.
- e. The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when 059 (W29) Bulk Loading Rail is in operation but the baghouse is not in operation.

6. Specific Reporting Requirements:

The permittee shall submit a report of the following information to the Division for Air Quality's Paducah office in accordance with Section F. 5. and F. 7:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 059 (W29) Bulk Loading Rail.
- b. Any exceedance of the particulate matter and opacity emissions limitations within thirty days of when the exceedance is determined.
- c. A record of monthly inspections, routine maintenance performed, and any corrective action on the baghouse associated with 059 (W29) Bulk Loading Rail.
- d. The occurrence, duration, cause, and any corrective action taken for each incident when Bulk Loading Rail is in operation but the baghouse is not in operation.

7. Specific Control Equipment Operating Conditions:

- a. The baghouse shall be operated in accordance with design/operating parameters at all times 059 (W29) Bulk Loading Rail is in operation. Design/operating parameters shall be established during the time frame of compliance testing if required by the Division or done voluntarily.
- b. Preventive maintenance shall be performed in accordance with manufacturer's specifications. The baghouse associated with 059 (W29) Bulk Loading Rail shall be inspected on a monthly basis for proper operation of the following:
 1. Pulse Jet device to release dust cake from the bags.
 2. Air flow source and equipment.
 3. Pressure drop measuring system.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

063 (W33)

Bagging - Bulk Bag Filling

Description: Filling Operation (Bulk Bags)

Maximum continuous rating: 50,000 pounds per hour

Date constructed: 1978

Date modified: 2003

Control Equipment:

Super Sack Dust Baghouse (FE-5713A), Model 84-BV25-IIIG, Pulse Jet Type

Pollutant removal/destruction efficiency: 99.6% ($< 5 \mu m$)

Date constructed: 1978

APPLICABLE REGULATIONS:

401 KAR 59:010 New Process Operations. This regulation shall apply to each affected facility or source associated with a process operation which is not subject to another emission standard with respect to particulates on or after July 2, 1975.

401 KAR 63:020 Potentially hazardous matter or toxic substances. This regulation shall apply to each affected facility which emits or may emit potentially hazardous matter or toxic substances, provided such emissions are not elsewhere subject to the provisions of the administrative regulations of the Division for Air Quality.

1. Operating Limitations:

Polyvinyl Alcohol (PVOH) loaded through 063 (W33) Bagging - Bulk Bag Filling shall not exceed 5,000 tons based on a 12 month rolling period.

Compliance Demonstration Method:

The permittee shall monitor and maintain records of monthly and rolling twelve (12) month totals of Polyvinyl Alcohol (PVOH) through 063 (W33) Bagging - Bulk Bag Filling as mentioned in 4(a) and 5(a).

Rolling Twelve (12) Month Total of PVOH

Every month the permittee shall calculate the total amount of PVOH loaded through 063 (W33) Bagging - Bulk Bag Filling for the previous twelve (12) months using the following equation.

$$\text{PVOH loaded through 063 (W33) Bagging - Bulk Bag Filling per year} = \sum_{n=1}^{12} M_n$$

Where M_n = monthly amount of PVOH throughput loaded in tons ($n = 1, 2, \dots, 12$ months).

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010 Section 3(2), emissions of particulate matter shall not exceed the allowable rate limit as calculated by the following equation using the process weight rate (in units of tons/hr).
For process rates up to 60,000 lb/hr: $E = 3.59P^{0.62}$
Where E = rate of emissions in lb/hr, and
P = process weight rate in tons/hr of PVOH throughput loaded.
- b. Pursuant to 401 KAR 59:010 Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a baghouse or stack which is equal to or greater than twenty (20) percent opacity.
- c. The Super Sack Dust Baghouse associated with 063 (W33) Bagging - Bulk Bag Filling shall control emissions of particulate matter and be operated properly with manufacturer's specifications and/or standards at all times the unit is in operation.

Compliance Demonstration Method:**a. Mass Emission Standard:**

Controlled PM emission rate (lb/hr) = PVOH Production Rate for Bulk Bag Filling (lb/hr) x Average weight % less than 140 microns x Average weight % less than 5 microns x [1 - (CE/100)]

Where CE = Control Efficiency = 99.6%, and PVOH = Polyvinyl Alcohol

b. Opacity Limit:

- i. During periods of normal operation of the baghouse associated with 063 (W33) Bagging - Bulk Bag Filling, the permittee shall monitor and maintain records of visible emissions as mentioned in 4(b) and 5(b).
- ii. If the unit is in operation during any period of malfunction of the baghouse associated with 063 (W33) Bagging - Bulk Bag Filling, the permittee shall cease the loading operation immediately until corrective actions are completed.

3. Testing Requirements:

Pursuant to 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 1, performance testing using reference methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

The permittee shall monitor the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 063 (W33) Bagging - Bulk Bag Filling each month.
- b. Three minute weekly observations of the visible emissions from the baghouse associated with 063 (W33) Bagging - Bulk Bag Filling shall be conducted. If visible emissions are observed, the permittee shall perform an EPA Method 9 opacity reading immediately.
- c. Proper operation of Super Sack Dust Baghouse in accordance with Condition 7, **Specific Control Equipment Operating Conditions.**

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**5. Specific Recordkeeping Requirements:**

The permittee shall maintain records of the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 063 (W33) Bagging - Bulk Bag Filling each month.
- b. A log shall be kept for all the visible emission observations. Notification in the weekly log shall be made of but not limited to the following:
 - i. Whether any air emissions (except for water vapor) were visible from 063 (W33) Bagging - Bulk Bag Filling.
 - ii. Whether the visible emissions were normal for the process.
 - iii. The cause of any abnormal emissions and any corrective action taken.
- c. A log of the dates and times of each EPA Method 9 opacity reading and either the results of the test or the reasons for not performing a Method 9 opacity reading.
- d. A record of monthly inspections, routine maintenance performed, and any corrective action on the baghouse shall be maintained.
- e. The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when 063 (W33) Bagging - Bulk Bag Filling is in operation but baghouse is not in operation.

6. Specific Reporting Requirements:

The permittee shall submit a report of the following information to the Division for Air Quality's Paducah office in accordance with Section F. 5. and F. 7:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 063 (W33) Bagging - Bulk Bag Filling.
- b. Any exceedance of the particulate matter and opacity emissions limitations within thirty days of when the exceedance is determined.
- c. A record of monthly inspections, routine maintenance performed, and any corrective action on the baghouse associated with 063 (W33) Bagging - Bulk Bag Filling.
- d. The occurrence, duration, cause, and any corrective action taken for each incident when 063 (W33) Bagging - Bulk Bag Filling is in operation but the baghouse is not in operation.

7. Specific Control Equipment Operating Conditions:

- a. The baghouse shall be operated in accordance with design/operating parameters at all times 063 (W33) Bagging - Bulk Bag Filling is in operation. Design/operating parameters shall be established during the time frame of compliance testing if required by the Division or done voluntarily.
- b. The baghouse associated with 063 (W33) Bagging - Bulk Bag Filling shall be inspected on a monthly basis. Preventive maintenance shall be performed in accordance with manufacturer's specifications. The baghouse shall be inspected on a monthly basis for proper operation of the following:
 1. Pulse Jet device to release dust cake from the bags.
 2. Air flow source and equipment.
 3. Pressure drop measuring system.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS**064 (W34) Bagging Hopper**

Description: Filling Operation (Bagging Hopper)

Maximum continuous rating: 30,000 pounds per hour

Date constructed: 1978

Date modified: 2003

Control Equipment:

Bagging Hopper Baghouse (FD-5759), Model CF-14F, Pulse Jet Type

Pollutant removal/destruction efficiency: 99.6% ($< 5 \mu\text{m}$)

Date constructed: 1978

APPLICABLE REGULATIONS:

401 KAR 59:010 New Process Operations. This regulation shall apply to each affected facility or source associated with a process operation which is not subject to another emission standard with respect to particulates on or after July 2, 1975.

401 KAR 63:020 Potentially hazardous matter or toxic substances. This regulation shall apply to each affected facility which emits or may emit potentially hazardous matter or toxic substances, provided such emissions are not elsewhere subject to the provisions of the administrative regulations of the Division for Air Quality.

1. Operating Limitations:

Polyvinyl Alcohol (PVOH) loaded through 064 (W34) Bagging Hopper shall not exceed 63,022 tons based on a 12 month rolling period.

Compliance Demonstration Method:

The permittee shall monitor and maintain records of monthly and rolling twelve (12) month totals of Polyvinyl Alcohol (PVOH) through 064 (W34) Bagging Hopper as mentioned in 4(a) and 5(a).

Rolling Twelve (12) Month Total of PVOH

Every month the permittee shall calculate the total amount of PVOH loaded through 064 (W34) Bagging Hopper for the previous twelve (12) months using the following equation.

$$\text{PVOH loaded through 064 (W34) Bagging Hopper per year} = \sum_{n=1}^{12} M_n$$

Where M_n = monthly amount of PVOH throughput loaded in tons ($n = 1, 2, \dots, 12$ months).

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010 Section 3(2), emissions of particulate matter shall not exceed the allowable rate limit as calculated by the following equation using the process weight rate (in units of tons/hr).
For process rates up to 60,000 lb/hr: $E = 3.59P^{0.62}$
Where E = rate of emissions in lb/hr, and
P = process weight rate in tons/hr of PVOH throughput loaded.
- b. Pursuant to 401 KAR 59:010 Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a baghouse or stack which is equal to or greater than twenty (20) percent opacity.
- c. The Baghouse associated with 064 (W34) Bagging Hopper shall control emissions of particulate matter and be operated properly with manufacturer's specifications and/or standards at all times the unit is in operation.

Compliance Demonstration Method:**a. Mass Emission Standard:**

Controlled PM emission rate (lb/hr) = PVOH Production Rate for the Bagging Hopper (lb/hr) x Average weight % less than 140 microns x Average weight % less than 5 microns x [1 - (CE/100)]

Where CE = Control Efficiency = 99.6%, and PVOH = Polyvinyl Alcohol

b. Opacity Limit:

- i. During periods of normal operation of the baghouse, the permittee shall monitor and maintain a record of visible emissions as mentioned in 4(b) and 5(b).
- ii. If the unit is in operation during any period of malfunction of the baghouse associated with 064 (W34) Bagging Hopper, the permittee shall cease the loading operation immediately until corrective actions are completed.

3. Testing Requirements:

Pursuant to 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 1, performance testing using reference methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

The permittee shall monitor the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 064 (W34) Bagging Hopper each month.
- b. Three minute weekly observations of the visible emissions from the baghouse associated with 064 (W34) Bagging Hopper. If visible emissions are observed, the permittee shall perform an EPA Method 9 opacity reading immediately.
- c. Proper operation of the Bagging Hopper Baghouse in accordance with Condition 7, **Specific Control Equipment Operating Conditions.**

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 064 (W34) Bagging Hopper each month.
- b. A log shall be kept for all the visible emission observations. Notification in the weekly log shall be made of but not limited to the following:
 - i. Whether any air emissions (except for water vapor) were visible from 064 (W34) Bagging Hopper.
 - ii. Whether the visible emissions were normal for the process.
 - iii. The cause of any abnormal emissions and any corrective action taken.
- c. A log of the dates and times of each EPA Method 9 opacity reading and either the results of the test or the reasons for not performing a Method 9 opacity reading.
- d. A record of monthly inspections, routine maintenance performed, and any corrective action on the baghouse shall be maintained.
- e. The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when 064 (W34) Bagging Hopper is in operation but the baghouse is not in operation.

6. Specific Reporting Requirements:

The permittee shall submit a report of the following information to the Division for Air Quality's Paducah office in accordance with Section F. 5. and F. 7:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 064 (W34) Bagging Hopper.
- b. Any exceedance of the particulate matter and opacity emissions limitations within thirty days of when the exceedance is determined.
- c. A record of monthly inspections, routine maintenance performed, and any corrective action on the baghouse associated with 064 (W34) Bagging Hopper.
- d. The occurrence, duration, cause, and any corrective action taken for each incident when 064 (W34) Bagging Hopper is in operation but the baghouse is not in operation.

7. Specific Control Equipment Operating Conditions:

- a. The baghouse shall be operated in accordance with design/operating parameters at all times the Bagging Hopper is in operation. Design/operating parameters shall be established during the time frame of compliance testing if required by the Division or done voluntarily.
- b. The baghouse shall be inspected on a monthly basis. Preventive maintenance shall be performed in accordance with manufacturer's specifications. The baghouse shall be inspected on a monthly basis for proper operation of the following:
 1. Pulse Jet device to release dust cake from the bags.
 2. Air flow source and equipment.
 3. Pressure drop measuring system.

**SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS,
AND OPERATING CONDITIONS (CONTINUED)****067 (W37) North Bulk Truck Station**

Description: North Bulk Truck Loading Station
Maximum continuous rating: 50,000 pounds per hour
Date constructed: 2003

Control Equipment:
Trailer Mounted Filter Canister, Model 016-000-030, Shaker Type
Pollutant removal/destruction efficiency: 99.6% ($< 5 \mu m$)
Date constructed: 2003

APPLICABLE REGULATIONS:

401 KAR 59:010 New Process Operations. This regulation shall apply to each affected facility or source associated with a process operation which is not subject to another emission standard with respect to particulates on or after July 2, 1975.

401 KAR 63:020 Potentially hazardous matter or toxic substances. This regulation shall apply to each affected facility which emits or may emit potentially hazardous matter or toxic substances, provided such emissions are not elsewhere subject to the provisions of the administrative regulations of the Division for Air Quality.

1. Operating Limitations:

Polyvinyl Alcohol (PVOH) loaded through 067 (W37) North Bulk Truck Station shall not exceed 75,000 tons based on a 12 month rolling period.

Compliance Demonstration Method:

The permittee shall monitor and maintain records of monthly and rolling twelve (12) month totals of Polyvinyl Alcohol (PVOH) through 067 (W37) North Bulk Truck Station as mentioned in 4(a) and 5(a).

Rolling Twelve (12) Month Total of PVOH

Every month the permittee shall calculate the total amount of PVOH loaded through 067 (W37) North Bulk Truck Station for the previous twelve (12) months using the following equation.

$$\text{PVOH loaded through 067 (W37) North Bulk Truck Station per year} = \sum_{n=1}^{12} M_n$$

Where M_n = monthly amount of PVOH throughput loaded in tons ($n = 1, 2, \dots, 12$ months).

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010 Section 3(2), emissions of particulate matter shall not exceed the allowable rate limit as calculated by the following equation using the process weight rate (in units of tons/hr).
For process rates up to 60,000 lb/hr: $E = 3.59P^{0.62}$
Where E = rate of emissions in lb/hr, and
P = process weight rate in tons/hr of PVOH throughput loaded.
- b. Pursuant to 401 KAR 59:010 Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a filter canister or stack which is equal to or greater than twenty (20) percent opacity.
- c. The filter canister associated with 067 (W37) North Bulk Truck Station shall control emissions of particulate matter and be operated properly introduce with manufacturer's specifications and/or standards at all times the unit is in operation.

Compliance Demonstration Method:

- a. Mass Emission Standard:
Controlled PM emission rate (lb/hr) = PVOH Production Rate for North Truck Loading Station (lb/hr) x Average weight % less than 140 microns x Average weight % less than 5 microns x $[1 - (CE/100)]$
Where CE = Control Efficiency = 99.6%, and PVOH = Polyvinyl Alcohol
- b. Opacity Limit:
 - i. During periods of normal operation of the filter canister, the permittee shall monitor and maintain a record of visible emissions as mentioned in 4(b) and 5(b).
 - ii. If the unit is in operation during any period of malfunction of the filter canister, the permittee shall cease the loading operation immediately until corrective actions are completed.

3. Testing Requirements:

Pursuant to 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 1, performance testing using reference methods specified in 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

The permittee shall monitor the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 067 (W37) North Bulk Truck Station each month.
- b. Three minute observations of the visible emissions from the filter canister each time a truck is loaded for a long enough time period to determine whether or not the filter canister is operating properly. If visible emissions are observed, the permittee shall perform an EPA Method 9 opacity reading immediately.

**SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS,
AND OPERATING CONDITIONS (CONTINUED)**

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 067 (W37) North Bulk Truck Station each month.
- b. A log shall be kept for all the visible emission observations. The log shall at a minimum include the following information:
 - i. Whether any air emissions (except for water vapor) were visible from 067 (W37) North Bulk Truck Station
 - ii. Whether the visible emissions were normal for the process.
 - iii. The cause of any abnormal emissions and any corrective action taken.
- c. A log of the dates and times of each EPA Method 9 opacity reading and either the results of the test or the reasons for not performing a Method 9 opacity reading.
- d. The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when 067 (W37) North Bulk Truck Station is in operation but the filter canister is not in operation.

6. Specific Reporting Requirements:

The permittee shall submit a report of the following information to the Division for Air Quality's Paducah office in accordance with Section F. 5. and F. 7:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 067 (W37) North Bulk Truck Station.
- b. Any exceedance of the particulate matter and opacity emissions limitations within thirty days of when the exceedance is determined.
- c. The occurrence, duration, cause, and any corrective action taken for each incident when 067 (W37) North Bulk Truck Station is in operation but the filter canister is not in operation.

7. Specific Control Equipment Operating Conditions: None

**SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS,
AND OPERATING CONDITIONS (CONTINUED)****068 (W38) South Bulk Truck Station**

Description: South Bulk Truck Loading Station

Maximum continuous rating: 50,000 pounds per hour

Date constructed: 2003

Control Equipment:

Trailer Mounted Filter Canister, Model 016-000-030, Shaker Type

Pollutant removal/destruction efficiency: 99.6% ($< 5 \mu m$)

Date constructed: 2003

APPLICABLE REGULATIONS:

401 KAR 59:010 New Process Operations. This regulation shall apply to each affected facility or source associated with a process operation which is not subject to another emission standard with respect to particulates on or after July 2, 1975.

401 KAR 63:020 Potentially hazardous matter or toxic substances. This regulation shall apply to each affected facility which emits or may emit potentially hazardous matter or toxic substances, provided such emissions are not elsewhere subject to the provisions of the administrative regulations of the Division for Air Quality.

1. Operating Limitations:

Polyvinyl Alcohol (PVOH) loaded through 068 (W38) South Bulk Truck Station shall not exceed 75,000 tons based on a 12 month rolling period.

Compliance Demonstration Method:

The permittee shall monitor and maintain records of monthly and rolling twelve (12) month totals of Polyvinyl Alcohol (PVOH) through 068 (W38) South Bulk Truck Station as mentioned in 4(a) and 5(a).

Rolling Twelve (12) Month Total of PVOH

Every month the permittee shall calculate the total amount of PVOH loaded through 068 (W38) South Bulk Truck Station for the previous twelve (12) months using the following equation.

$$\text{PVOH loaded through 068 (W38) South Bulk Truck Station per year} = \sum_{n=1}^{12} M_n$$

Where M_n = monthly amount of PVOH throughput loaded in tons ($n = 1, 2, \dots, 12$ months).

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**2. Emission Limitations:**

- a. Pursuant to 401 KAR 59:010 Section 3(2), emissions of particulate matter shall not exceed the allowable rate limit as calculated by the following equation using the process weight rate (in units of tons/hr).
For process rates up to 60,000 lb/hr: $E = 3.59P^{0.62}$
Where E = rate of emissions in lb/hr, and
P = process weight rate in tons/hr of PVOH throughput loaded.
- b. Pursuant to 401 KAR 59:010 Section 3(1), no person shall cause, suffer, allow, or permit any continuous emission into the open air from a filter canister or stack, which is equal to or greater than twenty (20) percent opacity.
- c. The filter canister associated with 068 (W38) South Bulk Truck Station shall control emissions of particulate matter and be operated properly with manufacturer's specifications and/or standards at all times the unit is in operation.

Compliance Demonstration Method:**a. Mass Emission Standard:**

Controlled PM emission rate (lb/hr) = PVOH Production Rate for South Truck Loading Station (lb/hr) x Average weight % less than 140 microns x Average weight % less than 5 microns x [1 - (CE/100)]

Where CE = Control Efficiency = 99.6%, and PVOH = Polyvinyl Alcohol

b. Opacity Limit:

- i. During periods of normal operation of the filter canister, the permittee shall monitor and maintain a record of visible emissions as mentioned in 4(b) and 5(b).
- ii. If the unit is in operation during any period of malfunction of the filter canister, the permittee shall cease the loading operation immediately until corrective actions are completed.

3. Testing Requirements:

Pursuant to Regulations 401 KAR 59:005 Section 2(2) and 401 KAR 50:045 Section 1, performance testing using reference methods specified in Regulation 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

The permittee shall monitor the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 068 (W38) South Bulk Truck Station each month.
- b. Three minute observations of the visible emissions from the filter canister each time a truck is loaded for a long enough time period to determine whether or not the filter canister is operating properly. If visible emissions are observed, the permittee shall perform an EPA Method 9 opacity reading immediately.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**5. Specific Recordkeeping Requirements:**

The permittee shall maintain records of the following information:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 068 (W38) South Bulk Truck Station each month.
- b. A log shall be kept for all the visible emission observations. The log shall at a minimum include the following information:
 - i. Whether any air emissions (except for water vapor) were visible from 068 (W38) South Bulk Truck Station.
 - ii. Whether the visible emissions were normal for the process.
 - iii. The cause of any abnormal emissions and any corrective action taken.
- c. A log of the dates and times of each EPA Method 9 opacity reading and either the results of the test or the reasons for not performing a Method 9 opacity reading.
- d. The permittee shall record the occurrence, duration, cause, and any corrective action taken for each incident when 068 (W38) South Bulk Truck Station is in operation but the filter canister is not in operation.

6. Specific Reporting Requirements:

The permittee shall submit a report of the following information to the Division for Air Quality's Paducah office in accordance with Section F. 5. and F. 7:

- a. The monthly and rolling twelve (12) month totals of PVOH loaded through 068 (W38) South Bulk Truck Station.
- b. Any exceedance of the particulate matter and opacity emissions limitations within thirty days of when the exceedance is determined.
- c. The occurrence, duration, cause, and any corrective action taken for each incident when 068 (W38) South Bulk Truck Station is in operation but the filter canister is not in operation.

7. Specific Control Equipment Operating Conditions: None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

None.

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

None.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. Pursuant to Section 1b (IV)1 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26, when continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements;
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement.
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality [Sections 1b(IV) 2 and 1a(8) of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
3. In accordance with the requirements of 401 KAR 52:020 Section 3(1)h the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation;
 - b. To access and copy any records required by the permit;
 - c. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.
5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the Regional Office listed on the front of this permit at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation [Section 1b (V)1 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. The semi-annual reports are due by January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.
7. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Regional Office listed on the front of this permit concerning startups, shutdowns, or malfunctions as follows:
 - a. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - b. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
8. The owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by Section F.7. above) to the Regional Office listed on the front of this permit within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by Section F.6 [Section 1b (V) 3, 4. of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
9. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall annually certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an alternative approved by the regional office) to the Regional Office listed on the front of this permit and the U.S. EPA in accordance with the following requirements:
 - a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period.
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

- f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

Division for Air Quality
Paducah Regional Office
4500 Clarks River Road
Paducah, KY 42003

U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960

Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601

10. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the Division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission survey is mailed to the permittee.
11. Pursuant to Section VII (3) of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the Division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL PROVISIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020 and of the Clean Air Act and is grounds for enforcement action including but not limited to termination, revocation and reissuance, revision or denial of a permit [Section 1a, 3 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020 Section 26].
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition [Section 1a, 6 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the Division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the Division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information upon request of the Cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the conditions of this permit [Section 1a, 7,8 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].

SECTION G - GENERAL PROVISIONS (CONTINUED)

5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority [401 KAR 52:020, Section 7(1)].
6. Any condition or portion of this permit, which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit [Section 1a, 14 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance [Section 1a, 4 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States [Section 1a, 15 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6) [Section 1a, 10 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance [401 KAR 52:020, Section 11(3)(b)].
11. This permit does not convey property rights or exclusive privileges [Section 1a, 9 of the Cabinet Provisions and Procedures for Issuing Title V Permits incorporated by reference in 401 KAR 52:020, Section 26].
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry [401 KAR 52:020, Section 11(3)(d)].

SECTION G - GENERAL PROVISIONS (CONTINUED)

14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders [401 KAR 52:020, Section 11(3)(a)].
 15. Pursuant to 401 KAR 52:020, Section 11, a permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - (a) Applicable requirements that are included and specifically identified in the permit and
 - (b) Non-applicable requirements expressly identified in this permit.
- (b) Permit Expiration and Reapplication Requirements
1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the Division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the Division [401 KAR 52:020, Section 12].
 2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the Division after the completeness determination has been made on any application, by whatever deadline the Division sets [401 KAR 52:020 Section 8(2)].
- (c) Permit Revisions
1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
 2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

SECTION G - GENERAL PROVISIONS (CONTINUED)**(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements**

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction of the equipment described herein, 067 (W37) North Bulk Truck Station and 068 (W38) South Bulk Truck Station and authorizes the modification of the equipment described herein, 059 (W29) Bulk Loading Rail, 063 (W33) Bagging – Bulk Bag Filling, 064 (W34) Bagging Hopper in accordance with the terms and conditions of this permit.

1. Construction of any process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Regional Office listed on the front of this permit in writing, with a copy to the Division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the Cabinet may extend these time periods if the source shows good cause.
4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the Cabinet.
5. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

SECTION G - GENERAL PROVISIONS (CONTINUED)

6. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the Division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the Division shall be notified of the actual test date at least ten (10) days prior to the test.
7. Pursuant to Section VII 1.(2 and 3) of the policy manual of the Division for Air Quality as referenced by 401 KAR 50:016, Section 1.(1), if a demonstration of compliance, through performance testing was made at a production rate less than the maximum specified in the application form, then the permittee is only authorized to operate at a rate that is not greater than 110% of the rate demonstrated during performance testing. If and when the facility is capable of operation at the rate specified in the application, compliance must be demonstrated at the new production rate if required by the Division.

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations were exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source of other local, state or federal notification requirements.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. Emergency conditions listed in General Condition (f) 1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement [401 KAR 52:020, Section 24(3)].
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof [401 KAR 52:020, Section 24(2)].

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346

2. If requested, submit additional relevant information to the Division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.

SECTION G - GENERAL PROVISIONS (CONTINUED)

2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.

SECTION H - ALTERNATE OPERATING SCENARIOS

None.

SECTION I - COMPLIANCE SCHEDULE

None.